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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,734	04/16/2004	Frank-Michael Morgenweck	81768/LPK	1353
Lawrence P. K	7590 04/24/2007 essler		EXAM	INER
Patent Department			BEATTY, ROBERT B	
NexPress Solutions LLC 1447 St. Paul Street Rochester, NY 14653-7103			ART UNIT	PAPER NUMBER
			2852	
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SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/24/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MALING DATE OF THIS COMMUNICATION. Lateralized of time may be a validate under the previous of 37 CFR 1.13(8), in a over-this way retry be timiny filled in the provision of 17 CFR 1.13(8), in a over-this way retry be timiny filled in the provision of 37 CFR 1.13(8), in a over-this way retry be timiny filled in the provision of 37 CFR 1.13(8), in a over-this expire SIX (8) MONTHS from the maling date of this communication. Failube to reply which the set or extended parind for reply will, by statute, cause the application to become ABANDONED (38 U.S.C. § 133). Any reply received by the Office later than three months after the malling date of this communication, even if timely filled, may reduce any search gladier than 30 mall the maling date of this communication, even if timely filled, may reduce any event defined by the Office later than three months after the malling date of this communication, even if timely filled, may reduce any event of the search of the	. •	Application No.	Applicant(s)				
## Defice Action Summary Examiner Robert Boatty 2852	•	10/826,734	MORGENWECK ET AL.				
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of firms may be available under the provided of 37 CPR 1.1816 (in), no event howers, may a reply be timely find. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (8) MONTHS from the mailing date of this communication. Pallute for providence of patient time adjustment. See 37 CPR 1.174(c). Status 1) Responsive to communication(s) filed on 29 September 2006. 22) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.4.8 and 11.22 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 5) Claim(s) 1.4.8.1.4.23 is/are rejected. 7) Claim(s) 1.1.3 is/are objected to by the Examiner. 6) Claim(s) 1.1.3 is/are objected to by the Examiner. 10 The drawing(s) filed on is objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received. 4. Interview Summary (PTO-413) Paper NockyMail Date. 3. Paper shockyMail Date. 3. Paper shockyMa	The MAILING DATE of this communication app		<u> </u>				
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Editacions of time may be waited under the provides of 37 CF1.13(a). In a event, however, may a reply be limby filled after 5tX (6) MCNTIS* from the mailing date of this communication. Failutes or provided by the office later than the mailing date of this communication. Failutes or reply which the side or consorted sends for myoult by statute, cause the segolacition to become ARANDONED (30 U.S. C. § 133). Any reply received by the DC office later than three months after the mailing date of this communication, even if terruly filled, may reduce any sended paths the most control and the filled on 29 September 2006. 2a) ☐ This action is FINAL. 2b) ☑ This action is non-final. 3☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 ☑ Claim(s) 1-4,8 and 11-22 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5□ Claim(s) 48,14-23 is/are rejected. 7 ☑ Claim(s) 11-13 is/are objected to. 8) ☐ Claim(s) 11-13 is/are objected to. 8) ☐ Claim(s) 11-13 is/are objected to. 9) ☐ The specification is objected to by the Examiner. Application Papers 9) ☐ The proper and the proper objected to by the Examiner. Application Papers 9) ☐ The openification is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 3 ☐ All b) ☐ Some * o ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received. Attachment(9) 1) ☐ Notice of forathspersons Patent Drawing Review (PTO-946) 3) ☐ Inte	Period for Reply						
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1. Claims 1-4,8,11-23 are objected to because of the following informalities: in claim 1, line 5, delete "are used".

Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-4,8,14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al. in view of Wotton et al. and Teshima.

Liu et al. teach a color image forming apparatus (col.17, lines1-9) comprising a developing device containing a supply of liquid developer 11 (liquid carrier and toner), a liquid developer applicator 12 (transfer device) for coating a roller 14 with the liquid developer (i.e. transferring the developing liquid to the roller 14), heating the liquid developer with a microwave heater 15 for removing the liquid carrier from the liquid developer (col. 7, lines 16·24), forming an image by transferring some of the compacted developer layer to a roller 114 leaving behind a desired image, and transferring again the concentrated liquid developer layer to a printing medium 175. Since there are at least two transfer steps, the microwave heater can be said to act on the developer layer after transfer and before transfer. A fixing

device is located along the path of the printing medium for heating and fixing the developed image to the printing medium (col.8, lines 1-6). Specifically, Liu et al. discloses most of what is claimed except the liquid developer including an additive having a high absorption for microwaves wherein the liquid mixture would be azeotropic.

Wotton et al. teach an image forming apparatus using a liquid developer wherein the liquid developer has an additive which has a high absorption for microwaves (col. 2, lines 22·33). For example, the liquid developer could be an admixture of water and polyaniline as the high absorption additive (col. 3, lines 36 · col. 4, line 2). Teshima teach a method of producing toner wherein in the production process an admixture of water and aniline. This admixture is azeotropic. (par. 101). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use an additive with a high absorption of microwaves because faster drying can be achieved as taught in Wotton et al. It would have been obvious to one of ordinary skill in the art at the time the invention was made that this admixture is azeotropic as taught in Teshima. In addition, it is believed that aniline is a polymer (repeated structural units) and thus is the same as polyaniline of which the examiner takes Official Notice.

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3. Claims 15-23, are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al. in view of Wooton et al. and Teshima as applied to claims 1-4,8,14 and further in view of Behnke et al. (2003/0013034).

Liu et al., Wooton et al. and Teshima taught supra discloses most of what is claimed except 1) controlling at least one physical parameter of the irradiation with microwaves wherein the parameter is correlated with the energy input into the printing medium and specific embodiments of this controlling feature, 2) using more than one resonator and the details related to more than one resonator, and 3) a scatter reduction mechanism. Behnke teach an image forming apparatus using a microwave heater to heat a developed toner image. As described, for example, in claims 5.16, Behnke et al. teach applicant's control over a parameter related to the energy input and the details thereof. As described, for example, in claims 17-25, Behnke et al. uses more than one resonator. As described in claims 27-28, a radiation scatter prevention means is used. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use this type of control with a microwave heater because the microwave energy can be adapted to actual real-time measurements (paragraph 11 - 12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use more than one resonator because the microwave energy will be distributed evenly over the print sheet (paragraphs 15-16). Finally, it would have been obvious to one of

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ordinary skill in the art at the time the invention was made to reduce radiation scatter for safety concerns.

- 4. Claims 11-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
- 5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Beatty whose telephone number is (571) 272-2130. The examiner can normally be reached on M-F from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray, can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Robert Beatty Primary Examiner Art Unit 2852

April 10, 2007